

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES,

Plaintiff,

V.

STEVEN FISHMAN.

Defendant.

Case No. 88-cr-00616-DLJ-1 (WHO)

ORDER DENYING RELIEF

Re: Dkt. No. 201

Defendant has filed a number of petitions, motions, and reports in his closed criminal case.

Dkt. Nos. 188-191, 193-195, 197-199, 201. These filings were considered and denied by Judge Tigar. Dkt. Nos. 192, 196, 200.

In his most recent filing, Fishman submits a cover document titled “Report of Criminal Misconduct and Civil Misconduct,” naming Judge Tigar as a judge who allegedly engaged in criminal and civil misconduct. As support, Fishman then attaches the same “Report of Criminal and Civil Misconduct” he filed on October 23, 2017. Dkt. No. 199.

The current filings suffer from the same defects previously identified by Judge Tigar. Dkt. No. 200. Defendant's criminal case is not the proper forum to report criminal and civil misconduct. If defendant seeks to report criminal or civil misconduct, he should contact federal authorities or file a separate complaint, independent from his criminal case.

If defendant seeks to set aside his federal conviction or sentence, he must file a motion under 28 U.S.C. § 2255. If he seeks to assert civil rights claims against one or more federal employees, he must file an action under *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971).

IT IS SO ORDERED.

Dated: November 15, 2017

W.H.O